



# INDIANA CHARTER SCHOOL BOARD

## APPLICATION FAQs

This FAQ document provides general information to potential Indiana Charter School Board (“ICSB”) applicants. The questions toward the end of the document pertain to the innovation section of the ICSB application. Additional information and resources are located on the ICSB website: <http://www.in.gov/icsb/index.htm>. Applicants are welcome to contact ICSB staff with questions as they complete the ICSB Letter of Intent forms or Application materials. Staff email addresses and phone numbers are listed on our website. We also encourage in-person meetings or conference calls with ICSB staff for first-time applicants.

### Getting Started

#### Indiana's Charter Schools Law

Prior to contacting ICSB staff or submitting a Letter of Intent, all potential applicants are advised to carefully review Indiana's Charter Schools Law as described in Article 24 of Indiana Code (“IC”) § 20. Applicants may wish to consult with their legal counsel for assistance interpreting these laws.

Successful ICSB applicants must demonstrate a strong working knowledge of Indiana Charter Schools Law, as well as the ability to operate a charter school in full compliance with this law. The most recent version of Article 24 can be accessed at the following URL: <http://www.in.gov/legislative/ic/code/title20/ar24/>

Blended learning and virtual school applicants should carefully review the definition in Indiana statute of a virtual charter school. Depending upon the proposed model, a blended learning model might actually be classified as a virtual model as defined in state statute. Note there is a different funding formula for virtual charter schools.

#### Indiana's Public Access Laws

Prior to submitting a Letter of Intent, charter school organizers are advised to carefully review Indiana's Public Access Laws. Successful ICSB applicants must demonstrate a strong working knowledge of Public Access Laws, including the Open Door Law. Applicants may wish to consult with their legal counsel for assistance interpreting these laws.

Indiana's Public Access Counselor maintains a handbook that provides clear guidance, as well as helpful real-life scenarios, to entities that must comply with these laws. Charter applicants are encouraged to pay special attention to the sections of the handbook that address the Open Door Law. The handbook is maintained on the Public Access Counselor website: [http://www.in.gov/pac/files/pac\\_handbook.pdf](http://www.in.gov/pac/files/pac_handbook.pdf)

### General Charter School Resources

The ICSB website contains a variety of general charter school related resources (located under Start a School: Application Resources). Potential applicants are encouraged to look through these resources for general background information, funding and facilities information, and policy resources.

### **Who Can Apply for a Charter from the ICSB?**

Per IC § 20-24-3, an authorizer may only award a charter to a non-profit charter school organizer. Therefore, applicants to the ICSB must be incorporated as a non-profit entity. In addition, the applicant must either: (1) have a 501(c)(3) Letter of Determination from the Internal Revenue Service, or (2) must have submitted an application to the Internal Revenue Service requesting such status.

The ICSB accepts charter school applications from all types of applicants, including the following:

- New Operators seeking to launch a new charter school;
- Experienced Operators seeking to launch one or more charter schools; and
- Existing Indiana charter schools seeking to switch authorizers.

The ICSB defines “New Operators” as those applicants who have not previously operated a charter school and who do not intend to contract with an Education Service Provider (“ESP”) to oversee school operations. “Experienced Operators” are defined as either: (a) applicants that have previously operated one charter school or managed a network of charter schools; or (b) applicants that have not previously operated a charter school, but intend to contract with an ESP. Per IC § 20-24-1-6.1, ESP is defined as a “for profit education management organization, nonprofit charter management organization, school design provider, or any other partner entity with which a charter school intends to contract for educational design, implementation, or comprehensive management.” Experienced Operators with experienced Boards may apply for one or more charter.

### **How Many Application Cycles Does the ICSB Have Per Year?**

Currently, the ICSB holds two cycles per year: a Spring and a Fall application cycle. Please refer to the ICSB website for specific application cycle timelines.

### **Will the ICSB Consider Applications Outside of Its Spring and Fall Cycles?**

The ICSB does not accept applications outside of our regular cycles.

### **What is the Preferred Governance Structure for a Charter Holder?**

The ICSB is open to different governance structures, and we encourage you to explore the pros and cons of various structures with your legal counsel. Applicants should be mindful of the following:

- The governing body of the charter school – including any committee or body to which the board delegates some authority regarding the school – must comply with Indiana’s Public Access Laws, including the Open Door Law.
- Indiana law (see IC § 20-24-3-3) requires that the organizer’s governing documents comply with the following:
  - “The organizer’s constitution, charter, articles, or bylaws must contain a clause providing that upon dissolution: (1) all remaining assets, except funds specified in subdivision (2), shall be used for

nonprofit educational purposes; and (2) remaining funds received from the [Indiana Department of Education] shall be returned to the department not more than thirty (30) days after dissolution.”

- Risk management policies may differ depending upon the proposed governance structure. Applicants may wish to consult their legal counsel regarding liability and other risk management considerations.
- The ICSB awards a charter to, and executes the charter agreement with, the school's governing body. The ICSB will hold the school's board accountable for meeting the performance standards set forth in the ICSB Accountability System posted on the ICSB website.

### **What Skills Should a Board Possess?**

Governing a charter school, especially during its initial start-up period, is a very demanding – although rewarding – experience. Serving on a board requires a significant investment of time and skills on the part of each charter school board member. The ICSB carefully assesses the qualifications and experiences of proposed governing body members to ensure the applicant demonstrates the ability to oversee a high-performing charter school, and fulfill all fiduciary obligations as the charter holder. There are a variety of resources available on creating an effective governing board, and one example can be found here: <http://www.charterschooltools.org/tools/GoodToGovern.pdf>

Please note that the proposed Board of Directors of the charter school must demonstrate readiness to govern the school at the time the application is submitted.

### **Do Applicants Need to Submit a Code of Ethics Policy along with a Conflict of Interest Policy?**

Yes. In addition to the Conflict of Interest policy, organizers must submit the governing board's Code of Ethics policy. The Code of Ethics policy should include the Board of Director's guiding principles and contain the duties of each individual Board member. The Conflict of Interest policy should include the definition of a conflict as well as the procedures and policies to neutralize actual, potential or apparent conflicts of interest. Applicants should be mindful that, as a public entity, it is a charter school's duty to scrupulously avoid all conflicts of interest, actual or otherwise.

### **Does the ICSB Prefer Applicants to Partner with Education Service Providers (ESPs) to Manage Operations?**

No, we are open to all kinds of applicants, including operators that do not intend to partner with an ESP. During the application process, we carefully assess each applicant's capacity to govern and operate a high-performing charter school, in accordance with the performance expectations described in the ICSB Accountability System. Each applicant should be familiar with these performance expectations at the time the application is submitted.

### **Does It Matter if Our ESP Partner is Non-Profit or For-Profit?**

No. We are focused solely upon whether a charter school operator can deliver strong academic outcomes for its enrolled students, maintain good financial health, operate effectively, and comply with all applicable charter school laws. Note that any ESP partner with which a charter school contracts must be registered to do business in Indiana.

### **When Assessing an Experienced Operator's Performance Track Record, What Are You Looking for?**

We assess the operator's demonstrated success in delivering strong academic outcomes for all enrolled students, maintaining good financial health, and complying with all applicable charter school laws. In addition, we assess whether the operator has adequate systems in place to identify underperformance and implement effective corrective actions in any underperforming schools.

### **What Kind of Interim Assessments Does the ICSB Require?**

Apart from the assessments described in the ICSB Accountability System posted on our website, the ICSB does not require interim assessments. However, we strongly encourage schools to utilize interim assessments to guide instructional practices. Indiana funds a portion of the cost of diagnostic assessments aligned with Indiana Standards, including mCLASS and Acuity. For more information, please visit the Indiana Department of Education ("IDOE") website: <http://www.doe.in.gov/achievement/assessment>

### **What Teacher Licensing Requirements Does the ICSB Require?**

The ICSB complies with Indiana's licensing requirements for charter schools as described in IC § 20-24-6-5. To apply for a waiver from the 90% certification requirement, a charter school must comply with the following procedure established by the State Board of Education ("SBOE"):

- A charter school's request for a waiver must be submitted in writing to the SBOE and include: (1) how the school wants to deviate from the 90/10 requirement; (2) why the school wants to deviate; and (3) why the deviation is in the best interest of the charter school students. Someone from the charter school should be present in person or available by phone at the time the SBOE considers the request in case Board members have any questions. The SBOE's guiding principle in considering such requests will be "best interest of the students."

Note that the SBOE is a separate entity from the ICSB. More information about the SBOE is available at the following website: <http://www.doe.in.gov/idoesboe>

### **Do I Need To Conduct Community Engagement Before Submitting an Application?**

Yes, we expect applicants to have conducted meaningful community engagement prior to submitting an application. Because the application is proposing to serve a target population of students in a specific community, evidence of interest from these families is important as the ICSB assess the financial viability of the proposed school. Strategies for engaging the community may include partnering with community-based organizations to host open meetings; holding meetings with community leaders, such as neighborhood leaders, state representatives, mayors, council members, community foundations, and other individuals that will help drive the success of the proposed school; and meeting with groups of local parents. The response may include a description and evidence of the number, type, locations, and forms of community outreach conducted. The applicant must also provide a detailed plan for how it will accomplish meaningful community engagement upon receipt of a charter, and leading up to the launch of the school.

### **Do I Need To Have a Facility Identified Before Submitting an Application?**

Securing an appropriate and affordable facility is often the biggest challenge a charter school will face. While we do not require that applicants have secured a facility, we do require that applicants have identified viable facility options prior to submitting an application. We recognize that an organizer would not qualify for a loan, lease or mortgage until a charter has been awarded, but we would like to know with as much specificity as possible the proposed physical location of the charter school. Completing this due diligence upfront demonstrates to the ICSB the reasonableness of the school opening in the proposed location.

Please keep the following in mind when preparing your application: Charter school facilities must comply with state and local health and safety requirements as required by the Indiana State Department of Health, Office of the State Fire Marshall, Department of Public Works, and the corresponding local agencies. In addition, charter school applicants

must be prepared to follow applicable city or town planning review procedures. Prior to submitting an application, the organizer must conduct due diligence with potential charter school lenders and developers to determine whether each targeted facility is zoned appropriately, is suitable for the proposed school model, and is affordable. Applicants must also be prepared to provide specific facility cost inputs into their budget when preparing the 5-Year Pro Forma budget. The ICSB carefully assesses these cost inputs to determine whether the proposed school model in the desired location will be affordable.

### **Can Charter Schools Utilize Vacant District Facilities?**

Effective 2011, Indiana law requires that all school corporations in the state submit a list of vacant district facilities to the IDOE every August. Charter schools may either lease or purchase an available facility for \$1. Please contact the IDOE Charter School Specialist for more information about the process regarding vacant district facilities: <http://www.doe.in.gov/student-services/charter-schools>

### **Where Can I Get Information About State Funding for Charter Schools?**

The ICSB website contains information about sources of Indiana charter school funding. Please see in particular the Charter School Start-Up Manual posted on our website.

Please note that the funding formula for virtual charter schools differs from the funding formula for traditional charter schools. Applicants proposing a virtual model should be certain to reflect the appropriate formula in their 5-Year budget submission.

We strongly encourage all applicants to contact the IDOE Office of School Finance directly with questions about per-pupil funding: <http://www.doe.in.gov/idoefinance>.

### **How Much Philanthropic Funding Should the 5-Year Pro Forma Budget Assume?**

A charter school's ability to secure philanthropic support or federal grants to support school start-up and operations will depend upon many factors, and an applicant should not assume that such grants will be secured. Therefore, we advise applicants to build their operating budget conservatively, assuming no grant funding for core school operations. Applicants may wish to research emerging school models that utilize technology to supplement instruction provided by teaching staff as one potential means by which to minimize operating costs. The ICSB website contains a list of several white papers and web-based resources to assist with such research.

### **What Happens After the ICSB's Voting Members Award a Charter?**

Following the Board's approval of a charter school application at a Board meeting, the applicant's designated representative will receive a letter confirming the Board's decision. In addition, the designated representative will receive a copy of the charter agreement for review by the charter school's governing body. Prior to charter agreement execution, the ICSB may request some follow-up information from the charter applicant. Finally, each member of the charter holder's Board of Directors must undergo an expanded background check.

### **If the ICSB's Voting Members Decline an Application, Can the Applicant Reapply?**

Yes, applicants may reapply during a subsequent application cycle. ICSB staff will provide feedback to applicants upon their request.

***NOTE: The Remaining Q&A pertains to the Innovation Section of the Application.***

**What Does “If Applicable” Mean Regarding the Section on Innovation?**

The ICSB recognizes that some, but not all, applicants intend to propose innovations (as defined in the application). Because the ICSB maintains a particular interest in innovation, this section provides a forum for applicants to offer more detail on the innovative aspects of their applications. This section is not required.

The ICSB recognizes that innovation is not necessary for an application to be exceptional and worthy of approval. Applicants that do not complete this section will not be at a disadvantage in the application evaluation process.

If you do fill out this section, explain concisely what makes your planned innovations compelling. The categories listed in the application (teaching, technology, time, and other innovations) and their key elements should help you focus your answers.

**Will I Receive Extra Points or Other Specific Advantage by Filling Out the Section on Innovation?**

No. Innovative school models hold interest for the ICSB because it recognizes that well-designed innovative models may dramatically improve student achievement. Applicants with otherwise strong charter school applications will not be penalized for omitting this section. But the ICSB strongly encourages applicants to consider innovative strategies of all sorts in their plans, explaining concisely what makes their plans compelling.

Many charter schools with innovative models have made great strides with their students’ learning. The ICSB has put together a [list of examples and resources](#) that may inspire applicants and guide them in their understanding of what makes a model innovative.

**What Does It Mean for a Proposed Model to be “Fundamentally Different from Typical School Models”?**

To be fundamentally different, a charter school model must demonstrate that it is not bound by current expectations and structures. In at least one of the areas listed in the innovation portion of the application—such as staffing models and instructional strategies that provide excellent teaching for all students; school design (both uses of time and physical space); technology use; governance arrangements; and family and community engagement strategies—applicants will want to show how they go beyond current practices and why.

**My Model is Attempting Something Very New and on the Cutting Edge of Current Practice, So It Lacks a Strong Evidentiary Basis. Will I Be Penalized for That?**

No, not if you can demonstrate underlying reasons the ICSB should expect your model to be successful. The ICSB understands that truly new models will not have results to prove their efficacy. But the ICSB does expect applicants to provide other information to support their theories, either through examples of similar models that share core characteristics (even if the programs aren’t identical), or through the data or research that underlies their theories and how this applies to the results they expect.

**What are the ICSB’s Expectations for Accountability in Innovative Models?**

Applicants should carefully review the academic performance standards within the [ICSB’s Accountability System](#), proposing modifications to these standards only where necessary, ensuring that these modifications maintain the level of rigor in the current plan, and explaining how this is so. Applicants must demonstrate how the ICSB can hold the operator to the same high standards to which it holds all its authorized schools. The default expectation is that, regardless of the innovation proposed by the applicant, the academic indicators described in the ICSB Accountability System will apply to the applicant’s proposed school.

**Do I Need to Propose an Innovation in One of the Listed Areas of Teaching, Technology, or Time?**

These three areas are given for illustration, not as an exhaustive list or to suggest specific ICSB preferences. Applicants proposing an innovation in another area, whether listed in the innovation section of the application or not, will be given equal consideration. In its review, the ICSB will focus on how any proposed innovation can improve student achievement, basing its review on the quality of the applicant's summary of its proposed innovations. If your innovation falls under the "other innovations" category, you should study the "key elements" listed for the first three innovation categories to better understand what the ICSB expects from all applicants with innovative proposals.